



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 11, 2020

BY ECF AND EMAIL

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Dominick Lewis, 20 Cr. 290 (KPF)*

Dear Judge Failla:

The Government writes to respectfully request that the Court exclude time under the Speedy Trial Act, pursuant to Title 18, United States Code, Section 3161(h)(1)(A), until the date of the arraignment and initial pretrial conference in this matter. The Government understands that the Court's chambers is in the process of arranging for a remote proceeding for the week of June 22, 2020, in accordance with District protocols.

The Government submits that the ends of justice served by an exclusion of time outweigh the best interests of the defendant and the public in a speedy trial, because such an exclusion will allow time for the Court to arrange for the arraignment and initial pretrial conference, for the parties to finalize a proposed protective order, for the Government to produce discovery, for the defendant and his counsel to review discovery, evaluate which motions, if any, may be appropriate, and for the parties to discuss a potential pretrial resolution of this matter. In addition, such an exclusion will help ensure the effective assistance of counsel and help avoid any possible miscarriage of justice. Counsel for the defendant consents to this request.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By:

Justin V. Rodriguez
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cc: Valerie Gotlib, Esq. (by ECF and email)

Application GRANTED. The Court will conduct the arraignment and initial pretrial conference in this matter on June 24, 2020, at 9:00 a.m. Due to restrictions on access to the Courthouse and on Courthouse operations due to the ongoing COVID-19 pandemic, which restrictions are well-documented on the Court's website, the conference shall be held through video conference. The Court will provide instructions to access this video conference at a later date.

The time between the filing of this Order and June 24, 2020, is excluded under the Speedy Trial Act. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the Defendant in a speedy trial because it will permit the Court to hold a video arraignment and initial pretrial conference, will permit the parties to finalize a proposed protective order, will allow the Government to produce discovery, and will permit the parties to discuss a potential pretrial resolution in this matter.

Dated: June 12, 2020
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE